

REMARKS

Claims 1-7 presently are pending in the application. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

The Examiner did not acknowledge the claim for foreign priority under 35 U.S.C. § 119, as well as receipt of the certified copy from the International Bureau. According, the Examiner is respectfully requested to make the appropriate acknowledgements in the next Action.

The Examiner has kindly returned an initialed copy of the Form PTO-1449 thereby indicating that he has considered the references listed thereon.

With respect to the objection to the Abstract, Applicant has amended the Abstract to remove any legal phraseology and make sure that it meets the 150 word limit.

With respect to the drawing objection, the Examiner maintains that the limitations of claim 5 including the hooks and barbs must be shown or the features canceled from the claim. The “hooks or barbs” specified in claim 5 are shown in Fig. 5 at reference number 23, 24. See also the description on page 5, line 11 of the specification. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the drawing objection.

The Examiner has rejected claims 1-7 under 37 C.F.R. § 112, second paragraph, as being indefinite. Applicant has reviewed and revised the claims in order to correct any indefiniteness problems. The Applicant has made the claim amendments for reasons of clarity and conciseness and has not made the changes for reasons related to patentability.

Moreover, the Examiner maintains that the claims do not recite sufficient structural elements and the interconnection of the elements to positively position and define “1) how the flanges are clamped and ‘punched out’”. However, claim 1 quite clearly defines that the tubular spacer elements 5 are fixed positionally in relation to the upper deck plate 2 against locking flaps

8 folded out from circular fold lines 7 punched in the upper deck plate 2, *through an inner cylindrical surface 6 of a corresponding one of the tubular spacer elements 5*. The locking flaps 8 are clamped firmly between the tubular spacer elements 5 and the locking tubes 10 pressed from above into openings 9 formed in the upper deck plate by punching-out and folding down the locking flaps 8. Thus, claim 1 quite clearly defines the structure, i.e., spacer elements 5, each having the inner cylindrical surface 6 which cooperates with a corresponding locking tube 10 to clamp locking flaps 8 firmly between the two, the locking flaps 8 being pressed from above into openings 9 formed in the upper deck by punching-out and folding down the locking flaps 8.

With respect to “2) how the legs of the upper runners are fixed to the lower runners”, the upper pallet runners 13 include apertures 12 which engagingly receive the tubular spacer elements, the lower ends 11 of which are affixed to an inner bottom surface 16 of the lower pallet runners 14 with the aid of an adhesive 15. Regarding question “3)”, note that claim 1 has been clarified to indicate that the apertures 12 engagingly receive the tubular spacer elements 5.

With respect to “4) how the flaps are clamped”, as noted above, the flaps are clamped firmly between the inner cylindrical surface 6 of a respective tubular spacer element 5 and the corresponding locking tube 10 pressed from above into the openings 9.

With respect to “5) how the link of the locking tubes vary” as recited in claim 3, the Applicant has simply amended claim 3 to delete this recitation since it merely points out the fact that the length of the locking tube is not limited to that shown in Figs. 4 and 5 and can be longer or shorter as desired.

With respect to “6) how the locking tubes are able to coact lockingly (claim 5)”, claim 5 has been amended to clarify that the locking hooks or barbs (23, 24) engage with the bottom

edges 25 of respective locking tubes 10 to perform the locking action. Support for this can be found on page 5, lines 8-13 and Fig. 5.

Finally, with respect to “(7) how the structures are fixed (claim 7)”, claim 7 has been amended for clarity. Moreover, as pointed out above with respect to claim 1, the locking flaps 8 being folded down into abutment with the inner cylindrical surface 6 of respective tubular spacer elements 5 and the fact that the locking tubes 10 are pressed down through the openings 9 which are punched in the upper deck plate 2, fixes the locking flaps in position. Moreover, the free ends 11 of the tubular spacer elements are inserted into the apertures 12 and then affixed to an inner bottom surface 16 of the lower runners 14 with the aid of an adhesive 15.

In view of the foregoing, it is submitted that all the claims 1-7 are clear and definite and the Examiner is respectfully requested to reconsider and withdraw the rejection under § 112, second paragraph.

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over DeGroot et al. However, method claim 7 has been amended in order to recite the additional method steps for forming the bottom runners including forming apertures 12 in the upper pallet runners 13, inserting free ends 11 of the tubular spacer elements 5 into the apertures; and affixing the free ends 11 to an inner bottom surface 16 of the lower runners 14 with the aid of an adhesive 15.

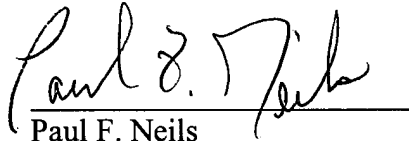
Quite clearly, DeGroot et al. fails to teach or suggest bottom runners formed by such a method. In short, the method of claim 7 is in no way predictable from the structural elements disclosed in DeGroot et al.

The Examiner’s indication that claims 1-6 would be allowable if amended to overcome the rejection under § 112, second paragraph, is greatly appreciated.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul F. Neils", written over a horizontal line.

Paul F. Neils
Registration No. 33,102

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

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